

## **REMARKS**

The Examiner's Office Action of March 23, 2004, has been carefully reviewed. The Examiner rejected claims 1-4, 6 under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point-out and distinctly claim the subject matter which applicant regards as the invention. Applicant has overcome this rejection by replacing the word "valuable" with "selected" in claims 1 and 6. Next, the Examiner rejected claims 4, 6-7 under 35 U.S.C. 103(a) as being unpatentable over Fisk (US Patent 3,847,803) in view of Schmidt (US Patent 6,197,081), JP 54,067,073 and BE 879,840.

The Examiner did indicate that claims 1-3 and 5 were allowable over the prior art of record. However, because claim 5 depends from a rejected independent claim (claim 4), Applicant has rewritten claim 5 in independent form as newly presented claim 8. Accordingly, Applicant believes claims 1-3 and 8 are now in a condition for allowance. The Examiner's rejection of the remaining claims, claims 4-7, is traversed on the basis of the claim amendments and arguments presented herein.

The Examiner's rejection is traversed because none of the references cited by the Examiner (considered either individually or in any possible combination) teach or suggest a method whereby both organic and inorganic materials are converted

into a useful compost material within a 24 hour period. For this reason, Applicant respectfully seeks reconsideration of the rejection of claims 4-7.

In the rejection the Examiner employs Fisk for a teaching of: providing solid waste for treatment, grinding the solid waste into particles, adding sewage sludge, and sterilizing the waste with steam. Furthermore, the Examiner alternatively relies upon Schmidt, JP 0'73 and BE '840 for a teaching of a reactor vessel which allows sterilization at elevated pressures and temperatures. Nonetheless, none of the references relied on by the Examiner illustrate the inventive features recited in claim 4. Specifically, claim 4 now recites a method whereby *both* organic and inorganic materials are converted into useful compost within a 24 hour period. This aspect of the invention is detailed in the first paragraph of page 14 in the specification. Thus, no new matter is presented via the amendment to claim 4. None of the references cited by the Examiner disclose an organic/inorganic conversion method that is completed in such an expedited manner. For example, Fisk discloses a composting operation that "includes batch-wise treatment of the biodegradable material in three stages, each of approximately 1 day duration." See Fisk, Col. 2, lines 66-69. Furthermore, Fisk specifically teaches providing a separation tank 36 wherein biodegradables are physically separated from non-biodegradable materials. See id. Col. 4, lines 39 – 46. In the process of Fisk, the non-biodegradable materials (i.e. the inorganic materials) are not subject to the

same processing as the biodegradable materials (i.e. the organic materials). Thus, Fisk is a multi-day operation and does not involve converting *both* organic and inorganic materials into useful materials. Likewise, none of the other references relied upon by the Examiner--Schmidt, JP 54,067,073 or BE 879,840--disclose or suggest the novel arrangement of processing both organic and inorganic materials in a expedited manner (less than a 24 hour period), as presently claimed.

Accordingly, claim 4, as presently amended, as well as dependent claims 5,6 and 7, represent a patentable advance over any possible combination of Fisk, Schmidt, and JP '073 and BE '840. Reconsideration and a Notice of Allowance are respectfully requested.

Should any additional points remain prior to the issuance of a Notice of Allowance, the Examiner is invited to call the undersigned.